

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

**Caption in Compliance with D.N.J. LBR  
9004-1(b)**

**FEIN, SUCH, KAHN & SHEPARD, P.C.**  
Counsellors at Law  
7 Century Drive - Suite 201  
Parsippany, New Jersey 07054  
(973) 538-9300  
Attorneys for Movant  
JPMORGAN CHASE BANK, NATIONAL  
ASSOCIATION  
R.A. LEBRON, ESQ.  
BC1552  
bankruptcy@feinsuch.com

In Re:

CETIN DUMAN

Debtor(s).



Order Filed on October 17, 2019  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

Case No.: 15-18747 RG

Chapter: 13

Hearing Date: October 2, 2019

Judge: HONORABLE ROSEMARY  
GAMBARDELLA

Recommended Local Form: ☐ Followed ☒ Modified

ORDER RESOLVING MOTION TO VACATE STAY  
AND/OR MOTION TO DISMISS  
WITH CONDITIONS

The relief set forth on the following page(s) is hereby **ORDERED**.

**DATED: October 17, 2019**

A handwritten signature in cursive script that reads "Rosemary Gambardella".  
\_\_\_\_\_  
Honorable Rosemary Gambardella  
United States Bankruptcy Judge

Applicant:	JPMORGAN CHASE BANK, NATIONAL ASSOCIATION
Applicant's Counsel:	Fein, Such, Kahn & Shepard, P.C.
Debtor's Counsel:	JOHN W. SYWILOK
Property Involved (Collateral")	565 COLONIAL BOULEVARD, WASHINGTON TOWNSHIP, NJ 07676

Relief sought:        ☒ Motion for relief from the automatic stay

☐ Motion to dismiss

☐ Motion for prospective relief to prevent imposition of automatic stay against the collateral by debtor's future bankruptcy filings

For good cause shown, it is **ORDERED** that Applicant's Motion(s) is (are) resolved, subject to the following conditions:

1. Status of post-petition arrearages:

☒ The Debtor is overdue for 8 payments for the following months with \$468.46 in suspense:

- 1 payment at \$511.73 for 11/3/15
- 1 payment at \$495.23 for 12/3/15
- 1 payment at \$511.73 for 1/3/16
- 1 payment at \$522.36 for 2/3/16
- 1 payment at \$918.25 for 6/3/19
- 3 payments at \$808.00 for 7/3/19 - 9/3/19

☐ The Debtor is assessed for N/A late charges at N/A per month.

☐ Applicant acknowledges receipt of funds in the amount of N/A received after the motion was filed.

Total Arrearages Due \$4,914.84.

2. Debtor must cure all post-petition arrearages, as follows:

☐ Immediate payment shall be made in the amount of \$N/A. Payment shall be made no later than N/A.

☒ Beginning on October 3, 2019, regular monthly mortgage payments shall continue to be made in the amount of \$808.00.

☒ Beginning October 3, 2019 through November 3, 2019, additional monthly cure payments shall be made in the amount of \$2,457.42.

☐ The amount of \$N/A shall be capitalized in the Debtor's Chapter 13 plan. The Debtor's monthly payment to the Chapter 13 Trustee is modified to be \$N/A per month.

3. Payments to the Secured Creditor shall be made to the following address(es):

☐ Immediate payment:

☒ Regular monthly payment: JPMorgan Chase Bank, N.A.  
Attn: Bankruptcy Department  
3415 Vision Drive  
OH4-7133  
Columbus, OH 43219

☒ Monthly cure payment: JPMorgan Chase Bank, N.A.  
Attn: Bankruptcy Department  
3415 Vision Drive  
OH4-7133  
Columbus, OH 43219

4. In the event of Default:

☒ If the Debtor fails to make the immediate payment specified above or fails to make any regular monthly payment or the additional monthly cure payment within thirty (30) days of the date the payments are due, then the Secured Creditor may obtain an Order Vacating the Automatic Stay as to the Collateral by filing, with the Bankruptcy Court, a Certification specifying the Debtor's failure to comply with this Order. At the time the Certification is filed with the court, a copy of the Certification shall be sent to the Chapter 13 Trustee, the Debtor, and the Debtor's attorney.

☐ If the bankruptcy case is dismissed, or if the automatic stay is vacated, the filing of a new bankruptcy case will not act to impose the automatic stay against the Secured Creditor's opportunity to proceed against its Collateral without further Order of the Court.

5. Award of Attorneys' Fees:

☐ The Applicant is awarded attorneys fees of \$N/A, and costs of \$N/A.

The fees and costs are payable:

☐ through the Chapter 13 plan.

☐ to the Secured Creditor within \_\_\_\_\_ days.

☒ Attorneys' fees are not awarded.

6. Upon dismissal, discharge, chapter conversion, or relief from stay, the foregoing terms and conditions shall cease to be binding, payments will be due pursuant to the terms of the original loan agreement and Movant may proceed to enforce its remedies under applicable non-bankruptcy law against the Real Property and/or against the Debtors.

**Certificate of Notice Page 5 of 5**  
United States Bankruptcy Court  
District of New Jersey

In re:  
Cetin Duman  
Debtor

Case No. 15-18747-RG  
Chapter 13

**CERTIFICATE OF NOTICE**

District/off: 0312-2

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

Date Rcvd: Oct 18, 2019

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 20, 2019.

db +Cetin Duman, 565 Colonial Blvd., Washington Township, NJ 07676-4309

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
NONE. TOTAL: 0

\*\*\*\*\* BYPASSED RECIPIENTS \*\*\*\*\*

NONE. TOTAL: 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP.  
USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

**I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 20, 2019

Signature: /s/Joseph Speetjens

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**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 18, 2019 at the address(es) listed below:

Brian C. Nicholas on behalf of Creditor M&T Bank bnicholas@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Denise E. Carlon on behalf of Creditor M&T Bank dcarlon@kmlawgroup.com,  
bkgroup@kmlawgroup.com  
Emmanuel J. Argentieri on behalf of Creditor M&T Bank, successor by merger to Hudson City  
Savings Bank bk@rgalegal.com  
John W. Sywilok on behalf of Debtor Cetin Duman sywilokattorney@sywilok.com  
Marie-Ann Greenberg magecf@magtrustee.com  
R. A. Lebron on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION  
bankruptcy@feinsuch.com  
Rebecca Ann Solarz on behalf of Creditor M&T Bank rsolarz@kmlawgroup.com  
Tammy L. Terrell on behalf of Creditor JPMORGAN CHASE BANK, NATIONAL ASSOCIATION  
bankruptcy@feinsuch.com

TOTAL: 8